

**ComTech Solutions, LLC**

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September 16, 2008

**Via ECFS**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**Re: CPNI Certification and Accompanying Statement  
EB Docket No. 06-36**

Dear Ms. Dortch:

ComTech Solutions, LLC pursuant to Section 64.2009(e) of the Commission's Rules, hereby submits its CPNI certification and accompanying statement.

Should you have any questions or need further information, please contact the undersigned.

Sincerely,

ComTech Solutions, LLC

A handwritten signature in black ink, appearing to read "James W. Broemmer, Jr.", with a stylized flourish at the end.

James W. Broemmer, Jr.  
Manager

cc: Telecommunications Consumers Division, Enforcement Bureau  
Best Copy and Printing, Inc.

Attachments

**CPNI Corporate Certification**

I, Kevin J. Jacobsen, CEO, am a corporate officer of ComTech Solutions, LLC ("ComTech"). Pursuant to FCC Rule Section 64.2009(e), I hereby certify that I have personal knowledge that ComTech has established operating procedures that are adequate to ensure compliance with the FCC's CPNI Rules. ComTech's CPNI Policy Statement is attached. The Policy Statement explains how ComTech's operating procedures ensure compliance with the FCC's CPNI rules contained in Part 64, Subpart U.

Signed: \_\_\_\_\_

Dated: September 16, 2008

## **CPNI Usage Policy Statement**

Pursuant to Section 64.2009(e) of the Federal Communications Commission's rules, this statement explains how the operating procedures of ComTech Solutions, L.L.C. (the "Company") ensure compliance with Part 64, Subpart U, of the FCC's rules.

### **Company's Usage of CPNI**

The Company has CPNI Procedures that set forth the Company's CPNI policies and outline what CPNI is and when it may or may not be used without customer approval by the Company.

The Company's Procedures set forth that the use of CPNI for the purpose of marketing a service to which a customer does not already subscribe is prohibited without prior customer notice and approval. The Company will not provide to any affiliate, CPNI of any customer who does not also subscribe to the services provided by that affiliate, with out prior customer notice and approval.

The Company does not release CPNI to third parties.

### **The Company's Notice and Approval Procedures**

The Company's Procedures set forth the manner in which the Company obtains approval from customers for the use of CPNI and whether such approval must be obtained through written, oral or electronic methods. The Company's Procedures set forth the period of time when such approval or disapproval to use CPNI remains in effect and the point in time when such approval is limited or revoked.

The Company's Procedures require that the Company maintain records of customer approval, whether oral, written or electronic, for at least one year.

The Company's Procedures set forth the procedures required to provide notification to customers prior to any solicitation for customer approval of the Company's right to use a customer's CPNI. Such procedures require the Company to provide a "Notice" to a customer explaining that the customer has a right, and the Company has a duty, under federal law to protect the confidentiality of CPNI. The Notice must explain to the customer that the customer may restrict the use of, disclosure of, and access to its CPNI. The Company maintains records of all such notifications for at least one year.

The Company's Procedures require that any customer notification provide information sufficient to enable a customer to make an informed decision as to whether to permit the Company to use its CPNI. At a minimum, such notification must include a description of the purposes for which CPNI will be used, and

inform the customer of his or her right to disapprove those uses and deny or withdraw access to the CPNI at any time. The notification must advise the customer of the precise steps the customer must take to grant or deny access to CPNI, and state that a denial of approval will not affect the provision of any services to which the customer subscribes. The Company's notification must be proximate to any solicitation for the use of CPNI.

The Company's CPNI Procedures set forth the use of Opt-out and/or Opt-in approvals, and outline all FCC requirements regarding methods of delivery, timing of response and content requirements.

### **Company's CPNI Safeguards**

The Company has implemented a system by which the status of a customer's CPNI approval can be clearly established prior to the use of CPNI.

The Company has an arrangement with an affiliated company, Adams Telephone Co-Operative ("Adams") for customer service, billing, and for the maintenance of CPNI information. Through this relationship and while the Company is ultimately responsible, Adams is required to treat all Company customer information exactly as it treats its own customer information and to comply with all CPNI requirements in this operating procedure. Thus, the references to personnel within this document references the individuals that Adams uses when it conducts its efforts on behalf of the Company.

The Company has established procedures for the training of personnel. Personnel have been trained as to when they are and are not authorized to use CPNI. The Company's CPNI Procedures describe the disciplinary process related to noncompliance with CPNI obligations. Refresher training courses are scheduled.

The Company's CPNI Procedures contain express disciplinary procedures required by Adams to personnel who violate Company policies, including CPNI policies, which can include termination of employment.

The Company maintains a written record of its sales and marketing campaigns that use CPNI, including a description of each campaign, the specific CPNI that was used in the campaign, the date and purpose of the campaign, and the specific products and services offered as part of the campaign. The Company maintains these records for a period of at least one year.

The Company has established a review process regarding Company compliance with the FCC's CPNI rules. The Company's process ensures compliance with the FCC's rules on outbound marketing situations, and the Company maintains records of compliance with these rules for a period of at least one year. The

Company's procedures require that all outbound marketing plans obtain manager approval.

The Company has appointed a corporate officer that has been named as the CPNI Compliance Officer and is held responsible for annually certifying that the Company is in compliance with the FCC's CPNI rules and submitting such certification and accompanying statement of how the company complies with the FCC's CPNI rules to the FCC by March 1.

The Company takes reasonable measures to discover and protect against attempts to gain unauthorized access to CPNI. Company authenticates a customer prior to disclosing CPNI based on customer initiated telephone contact, online account access, or an in-store visit.

The Company has not established a PIN/password system.

The customer may still access call detail based on a customer-initiated telephone call, by asking Company to send the call detail information to an address of record or by the carrier calling the telephone number of record.

If a customer is able to provide to the Company, during a customer-initiated telephone call, all of the call detail information necessary to address a customer service issue (i.e., the telephone number called, when it was called, and if applicable, the amount charged for the call) then the Company proceeds with its routine customer carrier procedures. Under these circumstances, the Company may not disclose to the customer any call detail information about the customer account other than the call detail information that the customer provides.

The Company may provide customers with access to CPNI at a Company retail location if the customer presents a valid photo ID and the valid photo ID matches the name on the account.

The Company notifies a customer immediately when an address of record is created or changed through a Company-originated voicemail or by mail to the address of record.

In the event of a CPNI breach, the Company delays customer notification of breaches until law enforcement has been notified of a CPNI breach. The Company will notify law enforcement of a breach of its customers' CPNI within seven business days after making a reasonable determination of a breach by sending electronic notification through a central reporting facility to the United States Secret Service (USSS) and the FBI.

If the relevant investigating agency determines that public disclosure or notice to customers would impede or compromise an ongoing or potential criminal investigation or national security, that agency may direct the Company not to disclose the breach for an initial 30-day period. The law enforcement agency

must provide in writing to the carrier its initial direction and any subsequent direction.

The Company, however, may immediately notify a customer or disclose the breach publicly after consultation with the relevant investigative agency, if the Company believes there is an extraordinarily urgent need to notify a customer or class of customers to avoid immediate and irreparable harm.

The Company maintains a record of any discovered breaches and notifications to the USSS and the FBI regarding those breaches, as well as the USSS and the FBI response to the notifications for a period of at least two year.

#### **Actions Taken Against Data Brokers and Customer Complaints**

The Company took no actions against data brokers during the previous calendar year. The Company received no customer complaints during the previous calendar year concerning the unauthorized released of CPNI.